

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CLARENCE ROBERT RANKIN,	:	CIVIL ACTION NO. 1:20-CV-2232
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
TAWNI RUBY and	:	
THERESA K. GROSS,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 6th day of July, 2021, upon consideration of the report (Doc. 9) of Magistrate Judge William I. Arbuckle, issued following screening review of *pro se* plaintiff Clarence Robert Rankin’s complaint (Doc. 1) and attendant filings under 28 U.S.C. § 1915(e), wherein Judge Arbuckle recommends that Rankin’s complaint be dismissed for failure to state a claim for which relief may be granted pursuant to Federal Rule of Civil Procedure 12(b)(6) and failure to comply with Federal Rule of Civil Procedure 8(a)(2), and wherein Judge Arbuckle further recommends further leave to amend be denied as futile, since Rankin has already been given leave to amend after being alerted to the deficiencies in his complaint and failed to file an amended pleading, and it appearing that Rankin did not object to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford “reasoned consideration” to the

uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court agreeing with Judge Arbuckle’s analysis and recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. Magistrate Judge Arbuckle’s report (Doc. 9) is ADOPTED.
2. Rankin’s complaint (Doc. 1) is DISMISSED without leave to amend.
3. Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).
4. The Clerk of Court shall CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania